

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

F041696 Bailey v. Gerling America Ins., Co.

Cause called and argued by Paul Shoop, Esq., counsel for appellant and by Ronald P. Kaplan, Esq., counsel for respondent and by Joann Selleck, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Tuesday, January 13, 2004 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Court Administrator/Clerk, by Shandra Gallagher, Assistant Deputy Clerk.

F041850 Apiary v. Lee

Cause called and argued by Henry D. Nunez, Esq., counsel for appellant and by Ronald H. Marks, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Wednesday, January 14, 2004 at 1:30 P.M.

F044021 People v. Machado

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

Pursuant to rule 30.3, California Rules of Court, it is further ordered that the remittitur issue forthwith.

F041846 People v. Kirk

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F043514 In re Passion D., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F043514 In re Passion D., a Minor

The order terminating parental rights is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]